

441—152.22(234) Initiation of contract proposal.

152.22(1) *Right to request a contract.* All potential providers have a right to request a contract.

152.22(2) *Initial contact.* The initial contact shall be between the potential provider and the bureau of purchased services.

a. At the beginning of the contract development process, the bureau shall give the potential provider:

- (1) Information about the contracting process; and
- (2) Instructions on how to access the Rehabilitative Treatment and Supportive Services Provider Handbook electronically.

b. The provider shall sign Form 470-3057, Verification of Receipt, at the end of the contract development process to verify receipt of information on how to access the Handbook.

152.22(3) *Contract proposal development.* When the bureau of purchased services determines that a new contract is to be developed, a project manager shall be assigned to assist in contract development and processing.

a. The project manager shall assist the provider in the completion of the contract proposal and required fiscal information.

b. Form 470-3051, Rehabilitative Treatment and Supportive Services Contract Face Sheet, and Form 470-3404, Rehabilitative Treatment and Supportive Services Negotiated Rate Establishment Amendment, shall be completed at the same time as Form 470-3052, Rehabilitative Treatment and Supportive Services Contract, or Form 470-3053, Amendment to Rehabilitative Treatment and Supportive Services Contract, is prepared.

152.22(4) *Contract proposal approval.* A proposed contract shall be submitted to the assigned project manager 60 calendar days in advance of the desired effective date of the contract. The Rehabilitative Treatment and Supportive Services Negotiated Rate Establishment Attachment, Form 470-3404, need not be completed until the completion of the rate negotiation process. Contract proposals will not be acted upon until this form is completed and attached to the contract proposal. Submission within the time frame does not ensure the desired effective date of the contract. The applicant shall be given a notice and explanation in writing of delays in the approval process by the department.

The applicant shall submit four copies of the contract proposal to the assigned project manager. The project manager shall forward four signed copies of the contract proposal to the bureau of purchased services within four weeks of receipt.

All complete proposed contracts shall be reviewed for compliance with state and federal requirements by the department. Before the Rehabilitative Treatment and Supportive Services Contract, Form 470-3052, can be effective, it shall be acted upon and signed, if approved, by the following persons within the time frames specified:

- a.* Authorized representative of the provider agency.
- b.* Service area manager, within one week of receipt.
- c.* Rescinded IAB 5/11/05, effective 5/1/05.
- d.* Director of the department of human services or designee, within 15 days of receipt.

Payment cannot be made for services provided prior to the contract effective date.

152.22(5) *Criteria for rejection of contract proposal.* The following criteria may cause a proposed contract or proposed contract amendment to be rejected:

- a.* The proposed contract does not meet applicable rules, regulations, or guidelines.
- b.* The applicant has falsified any information required as a condition of participation.
- c.* Licenses or certification submitted as a condition of participation in the contract process has never been approved, or has been revoked or suspended.
- d.* The provider fails to provide notification, within seven days, of any changes that may significantly affect the licenses or certification submitted as a condition of contracting.
- e.* The department and the provider fail to reach agreement on negotiated rates.

The provider shall be given a notice and explanation in writing of the reasons for rejection of the contract proposal by the department within ten working days of the department decision.

152.22(6) *Contract effective date.* When the agreed-upon contract conditions have been met, the effective date of a new contract, a renewed contract or an amendment to add a new service code to the contract is the day following signature of the director of the department or the director's designee, unless the provider and the department agree to a later specified date. A contract can only be effective if signed by all parties as required in subrule 152.22(4).

152.22(7) *Contract expiration date.* The effective date of the contract expiration shall be no more than two years from the effective date of the contract.